

REGULATION OF THE LEGAL PROFESSION IN WISCONSIN

FISCAL YEAR 2003-2004

Report of the Lawyer Regulation System



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ANNUAL REPORT
FISCAL YEAR 2003-2004

Introduction

Pursuant to Supreme Court Rule (SCR) 21.03(6)(n) and 21.10(2)(e), the Office of Lawyer Regulation and Board of Administrative Oversight are filing this fiscal year 2003-2004 report on the lawyer regulation system. This report is the fourth report filed under the new regulation system, which became effective on October 1, 2000. This past year, the lawyer regulation system completed its caseload reduction. All components are performing well and within normal caseload capacities. The system continues to improve its efficiency and effectiveness in the handling of matters through refinement of its policies and procedures. During the coming year, the system will address improvements to the ethics rules, particularly those relating to the Ethics 2000 proposals and the implementation of the new trust account rule.

Composition of the Lawyer Regulation System

“The lawyer regulation system is established to carry out the Supreme Court’s constitutional responsibility to supervise the practice of law and protect the public from misconduct by persons practicing law in Wisconsin.” SCR, Chapter 21, Preamble. The composition and organization of the lawyer regulation system is depicted in Appendix 1. The persons currently serving in these organizations are identified in Appendix 2. Following is a description of the components.

Supreme Court

The Supreme Court supervises the lawyer regulation system, determines attorney misconduct and medical incapacity, and imposes discipline or directs other appropriate action in proceedings filed with the Court.

Office of Lawyer Regulation

The Office of Lawyer Regulation (OLR) consists of the Director, investigative and support staff, litigation counsel, and retained counsel. The office has the following duties.

- To receive and to respond to inquiries and grievances relating to attorneys.
- To investigate allegations of attorney misconduct or medical incapacity.
- To divert matters into an alternative to discipline program.
- To prosecute misconduct or medical incapacity proceedings.
- To investigate license reinstatement petitions.

District Committees

District Committees exist in each of the sixteen state bar districts, and consist of lawyers and public members appointed by the Supreme Court. District Committees perform the following duties under the supervision of the Director.

- To educate the bar and the public about the legal profession and ethical practice of law.

- To refer to the Director possible misconduct or medical incapacity matters.
- To assist in the investigation of possible misconduct or medical incapacity.
- To recommend to the Director the appropriate disposition of matters it investigated.
- To monitor an attorney's participation in an alternatives to discipline program or an attorney's compliance with conditions on practice.
- To assist in resolving minor disputes between an attorney and a client.

Preliminary Review Committee

The Preliminary Review Committee consists of fourteen members, nine lawyers and five public members appointed by the Court. The Committee is comprised of two seven-member panels, each having at least four lawyers and at least two public members. The panels have the following duties.

- To review the results of OLR and District Committee investigations and to determine whether there is cause to proceed in the matter.
- To review, upon request by a grievant, decisions by the Director to dismiss a grievance after investigation.
- To confer with the Board of Administrative Oversight and to suggest improvements in the operation of the Committee and its panels.

Board of Administrative Oversight

The Board of Administrative Oversight consists of twelve members, eight lawyers and four public members appointed by the Court. The Board has the following duties.

- To monitor the fairness, productivity, effectiveness, and efficiency of the system.
- To monitor the implementation of new procedures.
- To assess public and bar perceptions of the integrity of the system.
- To report its findings to the Supreme Court.
- To review the operation of the system with the Court, and to file an annual report.
- To propose substantive and procedural rules.
- To inform and educate the public and bar about the system.
- To propose an annual budget.

Special Investigative Panel

The Special Investigative Panel is composed of lawyers appointed by the Supreme Court who are not currently participating in the lawyer regulation system. The Director refers allegations of misconduct against attorneys currently participating in the system to a special investigator. In a referred matter, the special investigator performs the functions that the Director would normally perform, which may include evaluating, investigating, dismissing, diverting, or prosecuting the matter.

Special Preliminary Review Panel

The Special Preliminary Review Panel is composed of four lawyers and three public members appointed by the Supreme Court. In matters involving allegations against current participants in the lawyer regulation system, the panel reviews the special investigator's decision to close a matter without investigation or dismiss a matter after investigation, and reviews an investigative report to determine whether there is cause to proceed.

Referees

Referees are attorneys or reserve judges appointed by the Supreme Court to perform the following duties.

- To conduct hearings in proceedings alleging misconduct or medical incapacity.
- To conduct hearings on petitions for license reinstatement.
- To review consensual public or private reprimands submitted by the Director.
- To review, upon the request of a grievant, determinations by Preliminary Review Panels of no cause to proceed.

Overview of the Lawyer Regulation System

The Wisconsin Supreme Court created the lawyer regulation system to carry out the Court's constitutional responsibility to supervise the practice of law and protect the public from misconduct by persons practicing law in Wisconsin. The Court has adopted standards of professional conduct for attorneys. The Court confers the privilege to practice law on an attorney conditioned on his or her compliance with those standards. SCR 21.15(2). A failure to comply with the Court's standards may constitute misconduct or may be evidence of a medical problem.

The Director of the Office of Lawyer Regulation (OLR) is required to investigate any possible misconduct or medical incapacity of an attorney licensed to practice in the State of Wisconsin. SCR 21.03(6)(a). Communications with OLR alleging lawyer misconduct are privileged, and no lawsuit predicated on those communications may be instituted against any grievant or witness. SCR 21.19. Attorneys and grievants may consult with and be represented by counsel at any stage of an investigation. Prior to the filing of a formal complaint or petition, all papers, files, transcripts and communications in an OLR investigation must be kept confidential by OLR. SCR 22.40(1). OLR may, however, provide relevant information to the respondent and the grievant. SCR 22.40(2). Although the Supreme Court Rules provide no sanction for disclosure of a grievance by the respondent or the grievant, OLR requests that those involved in an OLR investigation keep confidential all documents generated by the investigation.

Initially, OLR staff screens all inquiries and grievances concerning attorney conduct. If the allegations made are not within OLR's jurisdiction, or if the allegations are not supported by a sufficient factual basis, staff will close the file. The grievant may make a written request for the Director's review of the closure. The Director's decision is final. After preliminary evaluation, staff may also forward the matter to another agency; attempt to reconcile the matter between the grievant and attorney if it is a minor dispute; or refer the matter to the Director for diversion or investigation. Before or after investigation, the Director may divert the matter to an alternatives to discipline program, providing that nothing more than minor misconduct is involved, the respondent agrees, and the respondent is eligible to participate. Alternatives to discipline are usually educational programs or monitoring arrangements designed to assist an attorney in improving the quality of his or her practice.

If the grievance sets forth sufficient information to support an allegation of a violation of Chapter 20 of the Supreme Court Rules, OLR staff may initiate an investigation. OLR staff will send a letter to the respondent enclosing the grievance and

requesting a response within 20 days. In most instances, staff will forward the attorney's response to the grievant for comments. When OLR staff has completed the preliminary investigation, the Director will determine whether: (a) an uncontested violation exists; (b) the grievance should be dismissed for lack of merit; (c) further staff investigation is needed; or (d) the matter should be assigned to a district investigative committee for further investigation, pursuant to SCR 22.04(1).

If the grievance is further investigated by staff or a district committee, the respondent and the grievant will be kept advised about the investigation. The committee chairperson can assign the matter to one of the committee's investigators. Pursuant to SCR 22.04(2), the respondent may request a substitution of a district committee investigator within 14 days of receiving notice of the assignment of the investigator. The respondent shall be granted one such substitution as a matter of right, and any other requests for substitution shall be granted by the committee chairperson for good cause shown. If the committee decides to take sworn testimony regarding a grievance at an investigative meeting, the respondent and the grievant will receive timely notice of the meeting. Committee members elicit pertinent information from witnesses at such a meeting. In any matter referred to committee, the committee will prepare a report summarizing the facts and potential disciplinary violations. That report will be sent to the respondent and grievant for comment.

After the investigation is completed by staff and/or a committee, the Director may dismiss the matter for lack of sufficient evidence of cause to proceed, divert the matter to an alternatives to discipline program, obtain respondent's consent to a private or public reprimand, or present the matter to the Preliminary Review Committee for a determination of whether there is cause to proceed. In those cases in which the Director dismisses, the grievant has 30 days after receiving written notice of the dismissal to make a written request for review of the decision by the Preliminary Review Committee. The decision of the Preliminary Review Committee is final.

If, after the investigation is completed, the Director does not dismiss the grievance, seek a consent reprimand, or divert the matter, OLR staff will prepare an investigative report and provide a copy to the grievant and to the respondent for comment. [In cases in which a district committee investigates a matter, its report will serve as the investigative report.] The grievant and the respondent may submit a written response to the report no later than ten days following receipt of the report.

The Director may then submit the results of the investigation to the Preliminary Review Committee. The Preliminary Review Committee determines whether the evidence presented supports a reasonable belief that an attorney has engaged in misconduct or has a medical incapacity that may be proved by clear, satisfactory and convincing evidence. SCR 22.001(2). If the Preliminary Review Committee dismisses the matter, the grievant has 30 days after being notified of the dismissal to file a written request for review of that decision. The Supreme Court will select a referee to review the matter, and the referee's decision is final.

If the Preliminary Review Committee determines that the Director has established cause to proceed, the Director may file a complaint with the Supreme Court alleging misconduct. OLR, rather than the grievant, is the complainant in such a matter. If the Director files a complaint, an answer is required within 20 days of service of the complaint. Upon proof of service, the Supreme Court appoints a referee to hear the

matter pursuant to SCR 22.13(3). The referee holds a scheduling conference to define the issues and to determine the extent of discovery. The referee then presides at a public hearing which is conducted as a trial of a civil action to the court. SCR 22.16. OLR must prove misconduct or medical incapacity by clear, satisfactory and convincing evidence. SCR 22.38.

Within 30 days after the conclusion of the hearing, the referee will submit his or her report to the Supreme Court, including findings of fact, conclusions of law, and a recommendation of dismissal or imposition of discipline. OLR or a respondent may file an appeal of the referee's report within 20 days after the report is filed. If no appeal is timely filed, the Supreme Court reviews the referee's report and determines appropriate discipline in cases of misconduct and appropriate action in cases of medical incapacity. The Court may, on its own motion, order the parties to file briefs. Either the respondent or OLR may file a motion for reconsideration of the Supreme Court's decision within 20 days of the filing of the decision by the Court. The filing of a motion for reconsideration does not stay enforcement of the judgment. The Supreme Court's final dispositions of disciplinary and medical incapacity proceedings are published in the *Wisconsin Reports* and in *The Wisconsin Lawyer*.

The Year in Review

Significant Lawyer Regulation System Developments

The system has completed its investigative caseload reduction. The normal investigative caseload capacity is 380 matters. At the end of the fiscal year, there were a total of 389. As of the drafting of this report, there are approximately 360. The Office of Lawyer Regulation and Board of Administrative Oversight are especially appreciative of the contributions of the district committees, staff, and limited term employees, whose hard work has been instrumental in this year's achievement. Also instrumental, was the consolidation of the Office of Lawyer Regulation staff in Madison, which enabled the conversion of administrative positions to investigator positions and streamlined the management of cases.

The system continues to work toward its timeliness goals for the initial evaluation by the central intake unit, and for formal investigations. At the end of the fiscal year, the number of intake evaluations pending over 60 days was 74. The number of formal investigations pending over 11 months from the filing was 161. The goals for pending evaluations over 60 days, and pending investigations over 11 months, are no more than 40 of each. Substantial progress has been made since the end of the fiscal year. Considering that the system is now operating within its normal capacities, the timeliness goals should be achievable within the next fiscal year.

The Supreme Court met with the Board of Administrative Oversight, the Preliminary Review Committee, Special Investigators, and the Special Preliminary Review Panel on April 2, 2004, to discuss current developments in the lawyer regulation system. This year, the Court will consider a petition by the Wisconsin Ethics 2000 Committee for changes to the Rules of Professional Conduct for Attorneys; a petition by the State Bar regarding the licensure and regulation of paralegals; and recommendations for procedural improvements regarding time limits in interim suspension cases, and the functions and operations of district committees.

The Preliminary Review Committee re-elected Attorney James Wickhem of Janesville chairperson and Attorney James Friedman of Milwaukee vice chairperson. The Committee met

to consider matters on July 25, 2003, September 5, 2003, December 12, 2003, March 12, 2004, and June 11, 2004. The Committee considered whether cause to proceed existed in 74 matters, and reviewed the Director's dismissals in 14 matters. The Committee met specially in July. The Board and Office of Lawyer Regulation appreciate the Committee's exceptional service this past year. Committee meetings will continue quarterly.

The Board of Administrative Oversight re-elected Attorney William H. Levit, Jr. of Milwaukee chairperson and Attorney Ann Ustad Smith of Madison vice chairperson. The Board held meetings on September 12, 2003, December 5, 2003, March 5, 2004 and June 4, 2004. The Board completed its study of district committees, and filed a report in March 2004, recommending their retention and improvements in their function and operations. Many of the recommendations confirm the appropriateness of current rules and policies. Recommendations for improvements are being implemented.

The Board assesses perceptions of the regulation system through a questionnaire that is sent to each grievant and each respondent after the grievance is resolved. The response rate is approximately 8% for grievants and 11% for respondents. While perceptions generally relate to the outcome of the grievance, the questionnaire responses provide helpful information. The Board will continue to monitor trends in these perceptions.

Finally, the Board remains seized of several significant policy initiatives, including Ethics 2000; proposals for licensure and regulation of paralegals; and recommendations for improvements in lawyer regulation system procedures.

The District Committees continue to make a valuable contribution to the system, and were instrumental in reducing the number of investigations. Improvements in training and in the sharing of information have increased their effectiveness. The Office of Lawyer Regulation published a new Manual for District Committees. Training sessions were held in Wausau, Green Bay, Eau Claire, and Madison. The chairpersons met with the director in May to discuss improvements in operations. The director began visiting individual committees, hoping to meet with each committee during the course of a year, and providing substantive ethics continuing legal education.

Special Investigators and the Special Preliminary Review Panel process matters involving allegations against attorneys who serve with the regular components of the regulation system. During fiscal year 2003-2004, special investigators received 37 referrals and resolved 42 matters. The Special Preliminary Review Panel met on July 15, 2003, September 26, 2003, December 5, 2003, March 19, 2004 and June 18, 2004. The Panel considered 4 matters for cause, finding cause in all 4 matters. The Panel considered 12 matters on review, affirming 11 closures and returning 1 for further investigation.

The alternative to discipline program provides an effective way to improve an attorney's ability to practice in accordance with high professional standards. Frequently, this is a more effective measure than professional discipline. The Court has authorized diversion to an alternative program in situations where the program will likely benefit the attorney, and where the attorney will not likely harm the public. Alternative programs may include mediation, fee arbitration, law office management assistance, evaluation and treatment for alcohol and other substance abuse, psychological evaluation and treatment, medical evaluation and treatment, monitoring of practice or trust account procedures, continuing legal education, ethics school, and the multi-state professional responsibility examination. During the fiscal year, 98 attorneys were diverted to alternative programs and 124 attorneys completed diversions.

The central intake program provides for the receipt of inquiries and grievances concerning attorney conduct, and for the preliminary evaluation of grievances prior to any formal investigation. Inquiries and grievances may be received by telephone; callers may use a toll free number to contact the Office of Lawyer Regulation. After the preliminary evaluation, the Central Intake staff may forward the matter to another appropriate agency, attempt to reconcile the matter if it is a minor dispute, close the matter if it does not present sufficient information to support an ethical allegation, or refer the matter for investigation or diversion to an alternative to discipline.

Central Intake received 2,225 inquiries and grievances. There has been a slight decrease in the number of grievances filed in each of the last two fiscal years. Of the matters evaluated in Central Intake this past year, approximately sixteen percent (16%) were forwarded for formal investigation. Eleven percent (11%) involved the resolution of minor disputes or grievances that were withdrawn. Three percent (3%) involved diversion programs. The remaining seventy percent (70%) were closed for lack of sufficient information to suggest an allegation of potential ethical misconduct.

The regulation system is more accessible than in the past. The ability to communicate telephonically with grievants and respondent attorneys provides more personal contact and increases the level of satisfaction with the process. Central Intake also provides an efficient means to respond to grievances. Decisions whether to close or to formally investigate are made more promptly. As a result, the number and percentage of matters resolved within 90 days and within 180 days increased this year.

Overdraft Notification Program

The Overdraft Notification Rule [SCR 20:1.15(h), formerly SCR 20:1.15(i)-(p)] went into effect on January 1, 1999. That rule requires attorneys to authorize their financial and investment institutions to notify the Office of Lawyer Regulation of overdrafts on their client trust accounts and fiduciary accounts. Information regarding the trust account overdraft program is available from the Office of Lawyer Regulation web page [www.wicourts.gov/olr].

During Fiscal Year 2004, 132 overdrafts were reported to the OLR, six less than the previous fiscal year. Overdraft notifications have resulted in the following dispositions during this year:

Revocation (Voluntary)	1
90 Day Suspension ¹	1
Public Reprimand ²	2
Private Reprimand with Conditions	1
Diversion	9
Dismissal after Diversion Program Successfully Completed	22
Dismissal after Investigation	6
Dismissal after Investigation/Advisory Letter Sent	22
Closed without Investigation/Real Estate Exception ³	1
Closed without Investigation/Real Estate Exception Advisory Letter Sent ³	2
Closed without Investigation/Bank Errors	25
Closed without Investigation/Bank Errors/Advisory Letter Sent	11
Closed Pending Reinstatement Proceedings	1

¹ Included condition of 2 years of trust account supervision following reinstatement.

² One of the public reprimands included condition of supervision by two years of recordkeeping supervision.

³ Closed in anticipation of 7/1/04 effective date of SCR 20:1.15(a)(5)b, which creates a limited exception to the prohibition against disbursing funds prior to availability for real estate transactions.

The advisory letters sent during Fiscal 2004, some of which included more than one advisory, related to the following issues and record keeping deficiencies:

Availability of Funds for Disbursement	4
Bank Procedures – Delays in Posting Transactions	0
Maintenance Account (to cover bank charges)	11
Deposit Slip Errors	5
Lack of Proper Endorsement	2
Check Drafting Errors	1
Signatory Authority on Trust Accounts	1
Failure to Maintain Canceled Checks	0
Failure to Confirm Wire Transfers	3
Transaction Register/Subsidiary Ledger Deficiencies	4
Check Stubs – Inadequacy as a Transaction Register	3
Lack of Running Balances in Register and Ledgers	10
Computer Software Deficiencies	4
Commingling	2
Prohibition against Credit Card Transactions	2
Real Estate Transactions –	2
\$5,000 Limit on Personal Checks	
Other	2

On September 18, 2003, the Wisconsin Supreme Court held a public hearing on the joint petition of OLR and the State Bar, seeking the adoption of a new rule regarding lawyer trust and fiduciary accounts. The Court adopted the proposed rule, subject to certain modifications, immediately following the public hearing. On April 30, 2004, the Court issued an order, repealing and recreating SCR 20:1.15, the trust account rule, effective July 1, 2004. The amendments to SCR 20:1.15 constitute the most significant changes to that rule since its inception in 1988.

OLR staff presented two, 1/2 day seminars on trust account management in conjunction with diversions (October 10, 2003 and April 23, 2004). In addition, trust account management was one of the topics covered at OLR's Professionalism Seminar (another Diversion Program) on November 7, 2003. The Trust Account Investigator presented one-hour seminars on the new rule to the Milwaukee and Madison branches of the Wisconsin Association of Legal Administrators (April 20, 2004 and June 9, 2004).

Public Information and Outreach

As a means to promote understanding and confidence in the lawyer regulation system, public information and outreach efforts are ongoing. A list of the presentations made during the year is at Appendix 12. General information about the lawyer regulation system is available at www.wicourts/olr.

Survey of Matters

Overall Processing

The pending caseload is 738 matters, down significantly from the prior year, and within the system's caseload capacity of about 870 matters. The efficiency with which matters are processed is very good. The average processing time was 185 days, which is abnormally high because of the unusually large number of older investigations that factored into that statistic. On the other hand, the percentage of matters resolved within 90 days and 180 days improved, 64% and 76% respectively, and should increase again next year.

Grievances

In an effort to inform the Supreme Court, the Bar, and the public of the source and nature of the grievances received and the areas of practice from which grievances arise, Appendices 8A – 8C break down by category the grievances received between July 1, 2003 and June 30, 2004. In describing the nature of the grievances, only the most serious allegation is reflected. While most grievances allege various acts of misconduct, it is not practical to list all allegations.

The allegations most commonly made in a grievance were lack of diligence by the lawyer entrusted with the legal matter (22.3%), lack of communication with the client (11.4%), and misrepresentation or dishonesty (9.4%). See Appendix 8A. The two areas of practice that produced the largest number of grievances during the year were criminal law and family law (see Appendix 8B). It is important to point out that while clients file the majority of grievances, anyone can file a grievance. Appendix 8C illustrates the sources from which grievances were received during the fiscal year.

Discipline

In fiscal year 2003-2004, 66 attorneys received a public disciplinary sanction. Four attorneys were sanctioned twice. The Supreme Court imposed 1 revocation, 6 revocations by consent, 26 suspensions, 11 temporary suspensions, 5 summary suspensions, 5 public reprimands, dismissed 1 disciplinary matter and imposed conditions on one attorney's license to practice. Referees issued 15 public reprimands by consent. At the end of the year, 52 formal disciplinary matters were pending in the Supreme Court. Appendix 9 shows the numbers and percentages of attorneys receiving public discipline since fiscal year 1978-1979. Appendix 10 shows the type of misconduct found in public discipline decisions. Appendix 11 shows the areas of practice in which discipline was found in public decisions.

A Referee has authority, under SCR 22.09(3), to issue private reprimands pursuant to an agreement between the Director and the attorney. Typically, a private reprimand is imposed for an isolated act of misconduct that caused relatively minor harm. The Director does not enter an agreement for a private reprimand if public disclosure of the attorney's misconduct is necessary to protect the public. Private reprimands are retained permanently and are available as an aggravating factor on the issue of sanction if the attorney commits subsequent misconduct. As a means of educating the Bar, summaries of private reprimands, without any reference to or identification of the attorney involved, are printed every six months in the *Wisconsin Lawyer* magazine.

During this fiscal year, 33 attorneys received private reprimands. The Supreme Court issued 2 private reprimands. Eighty-nine (89) attorneys entered the new alternatives to discipline program and 124 attorneys completed an alternative program.

Other dispositions included:

- 1453 inquiries that did not warrant investigation. These matters were closed after the initial intake evaluation because there was insufficient information to support an allegation of misconduct.
- 138 dismissals after investigation in cases where there was insufficient evidence of a violation.
- 47 dismissals with an advisory letter. This disposition occurs in cases where the evidence is insufficient to prove a violation, but where practical advice would be helpful to an attorney.
- 36 closed pending petition for reinstatement.

Following is a summary of public discipline cases for fiscal year 2003-2004.

SUMMARY OF PUBLIC DISCIPLINE

Office of Lawyer Regulation

July 1, 2003 to June 30, 2004

<i>Attorney</i>	<i>Admitted</i>	<i>Location</i>	<i>Decided</i>	<i>Effective</i>
<u>Revocation by Consent</u>				
Evers, Francia M.	05/20/96	Milwaukee	07/02/2003	07/02/2003
Parent, Robert J.	05/24/82	Green Bay	10/21/2003	10/21/2003
Paulus, Joseph F.	09/18/84	Oshkosh	06/08/2004	06/08/2004
Shindell, Anne B.	09/01/79	Milwaukee	07/02/2003	07/02/2003
Stearn, Eric A.	09/15/78	Middleton	06/08/2004	06/08/2004
Whitnall, William D.	12/02/68	Racine	11/17/2003	11/17/2003
<u>Revocation</u>				
Banks, Elvis Cardell	09/30/97	Brown Deer	07/16/2003	07/16/2003
<u>Two Year Suspension</u>				
Echavarria, Grisel S.	04/18/00	Madison	05/12/2004	Retroactive to 11/17/03
Graf, Eric K.	01/12/81	Madison	08/12/2003	08/12/2003
<u>One Year Suspension</u>				
Eisenberg, Alan D.	06/06/66	Milwaukee	03/02/2004	04/06/2004
Jaconi, Jevon Jones	09/29/98	Luxemburg	11/07/2003	11/07/2003
Mikkelsen, Duane C.	05/23/88	Milwaukee	06/08/2004	01/17/2004
Brown-Perry, Lauren R.	09/08/80	Madison	12/12/2003	Retroactive to 04/26/01
<u>Nine Month Suspension</u>				
Cavendish-Sosinski, Elizabeth A.	01/18/94	Pewaukee	03/26/2004	03/26/2004
Sherry, Robert L.	05/21/84	Wauwatosa	08/13/2003	08/13/2003
<u>Eight Month Suspension</u>				
DeGracie, James Michael	07/06/90	Black River Falls	04/23/2004	04/23/2004
<u>Six Month Suspension</u>				
Armonda, Albert J.	09/04/96	Burlington	06/29/2004	08/03/2004

Gilbert, William J.	06/18/71	Hudson	10/07/2003	10/07/2003
Kelsay, Kevin M.	05/21/84	Milwaukee	11/12/2003	11/12/2003
Lyons, Geroge W.	05/23/88	Milwaukee	10/30/2003	10/30/2003
Meagher, Bruce J.	09/16/80	Iola	10/08/2003	Retroactive to 11/12/02
Ray, Virginia Rose	01/14/88	Janesville	04/23/2004	04/23/2004

Four Month Suspension

Goldstein, Russell	06/14/51	Milwaukee	06/30/2004	08/04/2004
Rhees, Michael L.	05/24/84	Phoenix AZ	07/09/2003	07/09/2003

Ninety Day Suspension

Arthur, Mary K.	01/18/77	Lake Geneva	06/09/2004	07/14/2004
Converse, Mark E.	08/28/73	Green Bay	02/25/2004	03/31/2004 Reinstated 6/30/04
Grady, Michael H.	09/18/84	Milwaukee	11/20/2003	11/20/2003
Schuster, Susan L.	03/10/00	Stoughton	10/28/2003	12/02/03 Reinstated 04/22/04

Sixty Day Suspension

Armonda, Albert J.	09/04/96	Burlington	10/28/2003	12/02/2003
Collins, Michael J.	05/19/77	Madison	02/12/2004	02/12/2004 Reinstated 05/18/04
Kitchen, Craig V.	05/01/90	Eau Claire	06/29/2004	08/03/2004
Marks, Marvin E.	09/13/83	Ironwood MI	07/16/2003	08/20/2003
Paget, Walter Allen	12/15/92	Milwaukee	10/07/2003	11/11/2003

Conditions on License

Olshan, Alan	06/19/53	Milwaukee	07/09/2003	07/09/2003
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Temporary Suspension

Schatz, Allen E.	09/18/84	Milwaukee	08/14/2003	08/14/2003
Cavendish-Sosinski, Elizabeth A.	08/18/94	Pewaukee	12/16/2003	12/16/2003 9 Month Susp 3/26/04
Schreier, Maria J.	08/07/97	Verona	02/26/2004	02/26/2004
Converse, Mark E.	08/28/73	Green Bay	01/23/2004	01/23/2004 90 Day Susp 2/25/04
Teasdale, Clay F.	03/13/83	Marinette	01/23/2004	01/23/2004
Kingsley, Jeffrey A.	07/20/93	Milwaukee	03/23/2004	03/23/2004
Ham, David L.	06/21/94	Madison	03/11/2004	03/11/2004 Reinstated 4/7/04
Nelton, Peter S.	06/06/66	Balsam Lake	04/20/2004	04/20/2004

Morrissey, Lynn E.	06/19/95	Hartford	05/17/2004	05/17/2004 Reinstated 5/28/04
Abbott, Jennifer L.	10/19/93	Milwaukee	05/12/2004	05/12/2004
Parish, Roger D.	04/22/97	Reeseville	05/12/2004	05/12/2004
<u>Summary Suspension</u>				
Stearn, Eric A.	09/15/78	Middleton	11/17/2003	11/07/2003 Revocation 6/8/04
Echavarria, Gricel S.	04/18/00	Madison	11/17/2003	11/07/2003 2 Year Susp. 5/12/04
George, Gary R.	09/13/79	Milwaukee	03/08/2004	03/08/2004
Henningson, Paul A.	08/18/76	Milwaukee	02/24/2004	02/24/2004
Sostarich, Mark E.	06/16/78	Elkhorn	05/18/2004	05/18/2004

	<i>Admitted</i>	<i>Location</i>	<i>Decided</i>
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Court Public Reprimand

Brandt, Warren Lee	09/24/51	Prescott	10/30/2003
Hicks, Leo Barron	11/22/85	Madison	02/27/2004
Theobald, Kimberly A.	04/21/92	Waukesha	05/27/2004
Whiting, Timothy Michael	06/21/94	Chicago, IL	08/13/2003
Willihnganz, Ty Christopher	04/11/96	Milwaukee	03/26/2004

**Consent Public
Reprimand**

Anderson, Scott F.	05/20/85	Milwaukee	06/05/2004
Bangert, David	08/27/75	Milwaukee	03/29/2004
Bednar, Jodie L.	06/16/87	Hurley	03/17/2004
Blise, Glenn James	05/23/88	Racine	12/17/2003
Bordow, David A.	09/13/82	Milwaukee	11/06/2003
Ermert, James J.	06/04/62	Racine	07/29/2003
Gwin, Hugh H.	08/28/73	Hudson	08/12/2003
Jones, Leroy	05/22/72	Milwaukee	02/19/2004
Plein, Thomas A.	06/06/66	Henderson	11/17/2003
Reilly, Richard E.	07/29/66	Milwaukee	11/17/2003
Ryan, Thomas A.	07/28/65	Beloit	12/11/2003
Schmidt, Gary J.	10/14/81	Appleton	12/12/2003
Schwab, Donald J.	05/14/92	River Falls	11/07/2003
Vang, Koua C.	04/16/91	Madison	04/09/2004
Woods, Terrence J.	06/07/65	Oconto Falls	08/11/2003

Reinstatements

During fiscal year 2003-2004, the Court completed action on 19 reinstatement petitions, 12 administrative and 7 disciplinary, after investigations by the Office of Lawyer Regulation and public hearing. Following is a summary of reinstatements.

SUMMARY OF REINSTATEMENTS

Office of Lawyer Regulation

July 1, 2003 – June 30, 2004

<i>Attorney</i>	<i>Location</i>	<i>Received</i>	<i>Decided</i>	<i>Outcome</i>
<u>Administrative</u>				
Egyes, Judith	Madison	08/25/03	11/17/2003	Granted
Fullerton, Pamela J. Alwin	Athens	09/03/03	03/23/2004	Granted
Gramovot, Larry I.	Tampa, FL	03/17/03	10/01/2003	Granted
Harris, Paul R.	St. Cloud, MN	06/30/03	01/23/2004	Granted
Hopkins, Nancy	Sterling, VA	12/10/03	03/23/2004	Granted
Kreutzberg, Lynn Marie	Chicago, IL	03/29/04	05/14/2004	Granted
Long, Stacey Renee	Washington, DC	08/18/03	12/16/2003	Granted
Reichert, Henry L.	San Diego, CA	12/19/02	08/19/2003	Granted
Semanko, Gregory J.	Minneapolis, MN	04/07/03	10/01/2003	Granted
Starkey, Christopher T.	Madison	03/15/04	05/14/2004	Granted
Levenson, Barry M.	Madison	06/16/03	10/21/2003	Granted
Prosser, Mary M.	Madison	06/25/03	10/21/2003	Granted
<u>Disciplinary</u>				
Davison, Sharon	Milwaukee	10/16/02	07/07/2003	Granted
Donovan, Mary P.	South Milwaukee	06/26/03	03/04/2004	Granted
Meagher, Bruce J.	Iola	10/20/03	06/09/04	Granted
Kerscher, John F.	Manitowoc	02/18/02	02/02/2004	Reinstated With Conditions
Klein, Joseph J.	Madison	02/23/03	02/02/2004	Reinstated With Conditions
Carroll, John	Waterford	10/23/02	03/10/2004	Denied
Kelsay, Kevin M.	Milwaukee	06/06/02	03/16/2004	Denied

Finances

The legal profession is unique in assuming all costs for policing itself. An assessment on every member of the State Bar of Wisconsin pays the costs and expenses of the lawyer regulation system, including all the costs and expenses of the Office of Lawyer Regulation, District Committees, Preliminary Review Committee, and Board of Administrative Oversight. To help offset the costs, the Office of Lawyer Regulation collects costs from attorneys disciplined in formal court proceedings and collects fees on petitions for reinstatement. Collections for fiscal year 2003-2004 were approximately \$93,000.00

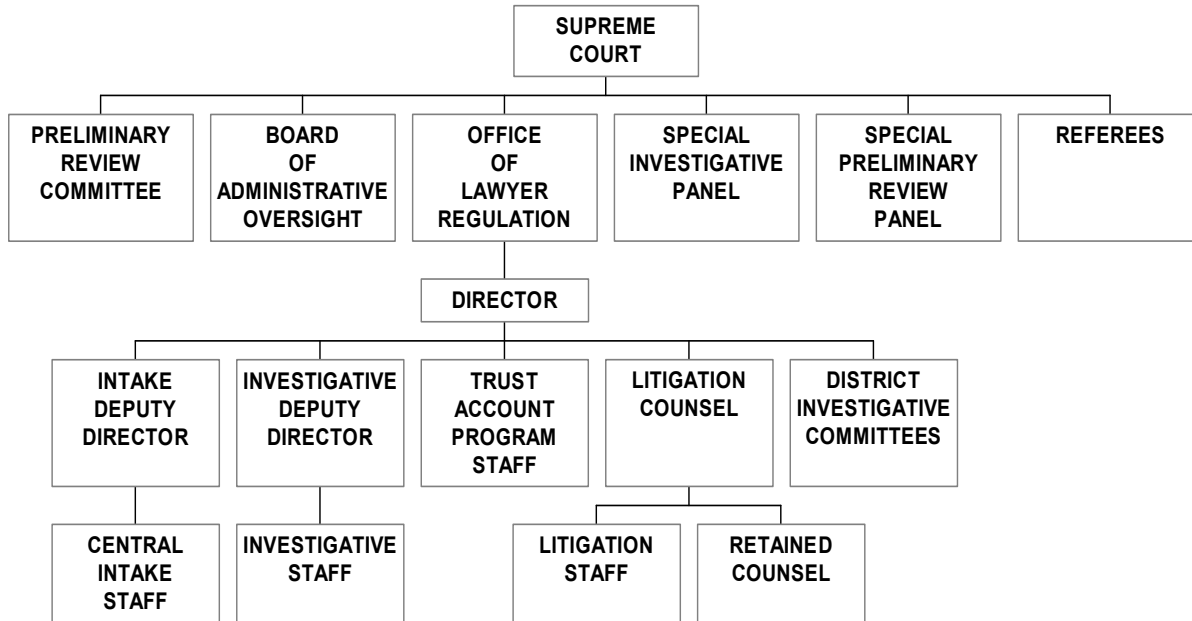
The budget for fiscal year 2004-2005 is \$2,398,000, up from \$2,201,000 last year. The assessment is \$132.66, up from \$123.12 last year. The assessment is in line with those of neighboring jurisdictions: somewhat higher than Michigan and Iowa, the same as Minnesota, and lower than Illinois. The assessment is significantly lower than in Colorado, which has a comparable lawyer population and similar programs.

The Year Ahead

Having met its caseload reduction goals this year, the lawyer regulation system will strive to achieve its process timeliness goals during the next year. Significant work will continue to improve the system as recommended by the Board of Administrative Oversight Report, and to improve the Rules of Professional Conduct for Attorneys as the Court considers the petition filed by the Wisconsin Ethics 2000 Committee.

APPENDIX 1

***ORGANIZATIONAL CHART OF THE
LAWYER REGULATION SYSTEM***



APPENDIX 2

COMPOSITION OF THE LAWYER REGULATION SYSTEM

WISCONSIN SUPREME COURT

Chief Justice Shirley S. Abrahamson
Justice Jon P. Wilcox
Justice Ann Walsh Bradley
Justice N. Patrick Crooks
Justice David T. Prosser
Justice Patience D. Roggensack
Justice Louis B. Butler

OFFICE OF LAWYER REGULATION

Keith L. Sellen, Director

John K. O'Connell, Deputy Director-Investigations
Elizabeth Estes, Deputy Director-Intake
William Weigel, Litigation Counsel
Julie M. Falk, Assistant Litigation Counsel

Investigative Staff:

Mary A. Ahlstrom
Lorry Eldien
Cathe Hahn
Emily Kokie
Rachel Nadel
Alice O'Mahar
Sarah Peterson
Melody Rader-Johnson
Cynthia Schally
Kay Sievers
Mary Smith
Travis Stieren
Nancy L. Warner
Jonathan Zeisser

Support Staff:

Linda Ackerman
Sheri Carter
Carol Kornstedt
Mary McMillan
Angelia Pearson

Joyce Rice
Carol Rymer
Barbara Schlak
Susan Stock

FISCAL YEAR 2003-2004 RETAINED COUNSEL

Matthew Anich	Ashland
Thomas Basting	Janesville
Charles Blumenfield	Milwaukee
Gregg M. Herman	Milwaukee
Robert G. Krohn	Janesville
Marc T. McCrory	Janesville
Richard P. Mozinski	Manitowoc
James C. Reiher	Milwaukee
Paul W. Schwarzenbart	Madison
Frank M. Tuerkheimer	Madison
Denis Vogel	Madison

DISTRICT COMMITTEE MEMBERS

*Public Members

District No. 1 (Jefferson, Kenosha, Walworth Counties)

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*Paul G. Aldige	Delavan
*Gail Gentz	Kenosha
John P. Higgins	Kenosha
Matthew Vignali	Kenosha
Cheryl Friedl	Kenosha
Michael D. Brennan	Elkhorn
Christopher W. Rose	Kenosha

District No. 2 (Milwaukee County)

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Vice Chairperson Nancy Meisner Kennedy	Milwaukee
Kenan J. Kersten	Milwaukee
Michael Steinle	Milwaukee
Victor Harding	Milwaukee
Kathleen Ortman Miller	Milwaukee
Kathryn Bach	Milwaukee
Emile Banks	Wauwatosa
John DeStefanis	Milwaukee
Lori Gendelman	Milwaukee
John Germanotta	Milwaukee

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*Jeffrey Hanewall
*Peter Marik
Jo Swamp
*William Ward

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Elm Grove
River Hills
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West Allis
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Milwaukee
Wauwatosa
Milwaukee

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Alexander Ullenberg
Mark Slate
*Ellen Sorensen
F. David Krizenesky

Oshkosh
Fond du Lac
Fond du Lac
Berlin
Fond du Lac
Appleton
Markesan
Neenah
Oshkosh
Berlin
Fond du Lac
Markesan
Ripon
Menasha

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*Professor V. Alan White	Manitowoc
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Randall J. Nesbitt	Sturgeon Bay
*Erika S. Dalebroux	Luxemburg
Mark Jinkins	Surgeon Bay
*Robert Dobbs	Two Rivers
*Susan J. McAninch	Sturgeon Bay
*Dennis McIntosh	Sturgeon Bay

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George Parke	LaCrosse
J. David Rice	Sparta
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*Linda Lee Sondreal	LaCrosse
*James Geissner	LaCrosse
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Marvin Davis	LaCrosse
Gloria Doyle	LaCrosse
Richard Radcliffe	Tomah
*Jacqueline Johnsrud	Eastman
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*Dennis M. Waller	Brookfield
Cheryl A. Gemignani	Waukesha
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Rod W. Rogahn	Delafield
William A. Swendson	Oconomowoc
*Dennis R. Blasius	Waukesha
*Dr. Robert V. Purtock	Oconomowoc
Lance Grady	Waukesha
Vincent Moschella	Waukesha

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Peter E. Hans	Madison
Richard B. Jacobson	Madison
*David Dies	Madison
*Robert C. Hodge	Madison
Lee R. Atterbury	Middleton
William F. Mundt	Madison
Bruce Schultz	Madison
Rick J. Mundt	Madison
Meredith J. Ross	Madison
*Rodney Tapp	Madison
*David G. Utley	Madison
Thomas W. Shellander	Madison
Andrew Clarkowski	Madison

District No. 10 (Marinette, Menominee, Oconto, Outagamie, Shawano Counties)

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Thomas Schwaba	Menominee
*Raymond Zagorski	Appleton
Richard Thomas Elrod	Appleton
Laura Smythe	Appleton

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Joseph Crawford	LaPointe
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Guy T. Ludvigson	Webster
Forrest O. Maki	Superior
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Margaret Kolbeck	Cumberland
*Mary Ann King	Chippewa Falls

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Gayle Branaugh Jebbia	Dodgeville

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Eric D. Reinicke
Derrick A. Grubb
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*Michael F. Metz
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Platteville
Beloit
Lancaster
Darlington
Lancaster
Monroe

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William Buchholz
Lisa Derr
*John C. Ralston
Paul M. Dimick
*Deborah Lukovich
*Dr. Alan Martens
Gerald Antoine

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Menomonee Falls
Waupun
Beaver Dam
Juneau
Cedarburg
Mequon
Waupun
Port Washington

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Vice Chairperson Cynthia Caine Treleven
John C. Huegel
Jeffrey F. Jaekels
Frank S. Wochos
Susan Reigel
*Pastor George Krempin
Laura J. Beck
*Gregory L. Graf
*Kim E. Nielsen
Beth Pless
Gerald Loritz

DePere
Green Bay
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Green Bay
Oneida

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Vice Chairperson John Barry Stutt
*Connie Crowder
Thomas M. Devine
Scott W. French
Michael J. Kelley
Mark Lukoff
Sally Hoelzel
Timothy D. Boyle
*John P. Crimmings
*Gilbert G. Baumann
*Raymond G. Feest
Mark F. Nielsen

Racine
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District No. 16 (Forest, Florence, Langlade, Lincoln, Marathon, Oneida, Vilas Counties)

Chairperson John E. Danner
Vice Chairperson Sara Ruffi
Daniel Daubert

Minocqua
Wausau
Wausau

Jerome Tlusty
Robert W. Zimmerman
Christine R. H. Olsen
*Thomas Burg
*Tom Lonsdorf
*Judy A. Frymark, AIC
Arno William Haering
David J. Condon
*Gerald Gibson
*Michael Lambrecht
Dawn R. Lemke

Schofield
Wausau
Wausau
Merrill
Schofield
Merrill
Wausau
Woodruff
Argonne
Weston
Merrill

PRELIMINARY REVIEW COMMITTEE

Attorney James D. Wickhem, CHAIRPERSON Janesville, WI

Attorney James D. Wickhem is a partner in Meier, Wickhem, Lyons & Schulz in Janesville. He focuses his work on civil litigation, including personal injury, business litigation, products liability, and insurance disputes. He previously served on a district professional responsibility committee (part of the lawyer regulation system), and as chair of that committee. Wickhem has been active in his community, serving on the Janesville Police and Fire Commission and on the board of directors of Big Brothers/Big Sisters of Rock County.

Attorney James D. Friedman, VICE CHAIRPERSON Milwaukee, WI

Attorney James D. Friedman is a partner in Quarles & Brady in Milwaukee, where he is coordinator of the Financial Institutions Practice Group. Friedman is a former member of the Board of Governors and executive committee of the State Bar of Wisconsin. He is a director of Partners Advancing Values in Education, Inc., and the Equal Justice Coalition, Inc., and is listed in *The Best Lawyers in America*, *Who's Who in the World*, *Who's Who in America*, *Who's Who in American Law*, *Who's Who in the Midwest*, and *Who's Who in Finance and Industry*.

Attorney Michael S. Anderson Madison, WI

Attorney Michael S. Anderson is a partner in Axley Brynerson in Madison, where his practice (both trial and appellate) emphasizes commercial and business litigation, insurance coverage disputes, and products liability defense. He was a member of the District 9 Professional Responsibility Committee, which assists the Office of Lawyer Regulation with investigations into possible lawyer misconduct, for nine years. He is listed in *Who's Who in Finance and Industry*, *Who's Who in the World*, *Who's Who in America* and *Who's Who in American Law*.

Mr. Michael S. Ariens Brillion, WI

Michael S. Ariens is Chairman of the Board of Ariens Company, a manufacturer of outdoor power equipment that has been located in Brillion since 1933. Ariens has been with the company since 1959. He is also very active in the business community and in the Catholic Diocese of Green Bay.

Attorney Wayne A. Arnold Rice Lake, WI

Atty. Wayne A. Arnold is deputy first assistant of the Trial Division of the State Public Defender's Office in Barron County. He has served as a supervisor for the State Public Defender since 1985, overseeing operations at various times in Barron, Burnett, Polk, Sawyer, and Washburn counties, in addition to Rusk. Arnold has been active in his community, serving on various court-related committees and building and operating his own radio station, WFCL-AM in Clintonville.

Attorney Thomas W. Bertz
Stevens Point, WI

Attorney Thomas W. Bertz is a partner in Anderson, Shannon, O'Brien, Rice & Bertz in Stevens Point. He began his law career by clerking for Chief Justice Timothy Brown, who served on the Wisconsin Supreme Court from 1949 to 1964. Bertz is active in his community, serving as president of the Stevens Point Rotary Foundation.

Attorney John R. Dawson
Milwaukee, WI

Attorney John R. Dawson is a partner in Foley & Lardner in Milwaukee, where he has worked since 1970. His practice emphasizes commercial litigation and media law. He is listed in *The Best Lawyers in America* in the areas of business law and First Amendment law and is active on the boards of directors of the Milwaukee Public Museum and the Better Business Bureau of Wisconsin.

Attorney Karri L. Fritz-Klaus
Milwaukee, WI

Attorney Karri L. Fritz-Klaus is a sole practitioner focusing on divorce, family law, and mediation. She is past-chair of the Milwaukee district professional responsibility committee (part of the lawyer regulation system) and past-president of the Association for Women Lawyers and chair of the Leadership Development Committee, past-chair of the State Bar's Bench/Bar Committee, past-president of Prairie Hill Waldorf School Board, founder and past-president of Phi Delta Phi Barrister Inn Alumni Chapter. She has served as an editor and research assistant at the Smithsonian Institution and as an advisor and consultant to the National Museum of African Art. She is a recipient of the Supreme Court of Wisconsin and State Bar of Wisconsin LaFollette Award for Contributions to the Legal Profession. Author of numerous articles and lecturer on mediation and The Standards of Professional Responsibility, Courtesy, and Decorum for the Courts of the State of Wisconsin.

Rev. Steven K. Gjerde
Spencer, WI

Rev. Steven K. Gjerde is pastor at St. John's Lutheran Churches in the Wausau-area communities of Spencer and Riplinger. He has taught ethics at the Luther Seminary in St. Paul, and served in the Department of Chaplain Services at the Mayo Clinic. Gjerde is active in his community, serving as chaplain for the Spencer Fire Department and on the advisory board to the King Food Pantry.

Ms. Joan Greendeer-Lee
Tomah, WI

Joan Greendeer-Lee has been a tribal court judge and president of the Wisconsin Tribal Judges Association. Trained as a paralegal, Greendeer-Lee holds a degree in geography. From 1985 to 1999, she served as an assistant manager for the U.S. Census Bureau, where she focused on mapping techniques for identifying American Indian and Alaska Native lands.

Attorney Bernard T. McCartan
Madison, WI

Attorney Bernard T. McCartan is regional claim counsel for American Family Insurance Co., managing the company's Wisconsin legal department. He currently serves as chair of the Professional Ethics Committee of Civil Trial Counsel of Wisconsin and has authored several articles on topics related to ethics. He is active in his community, serving as a youth athletics coach and volunteering as counsel to Milwaukee's Irish festivals.

Dr. M. Tambura Omoiele
Madison, WI

Dr. M. Tambura Omoiele is an adjunct professor at Edgewood College, where she specializes in sociology and criminal justice-related topics. She has also taught at universities in Kansas and Ohio, and has conducted numerous faculty development workshops throughout the Midwest. She has been listed in *Who's Who in the World*, *Who's Who in the Midwest*, and *Who's Who of American Women*.

Dr. Thomas W. Radmer, DDS, M.S.
Trevor

Dr. Radmer is an Oral Maxillofacial Surgeon. He graduated from the University of Wisconsin in 1966, graduated from Marquette School of Dentistry in 1970, and earned a Master's Degree in Oral Maxillofacial Surgery from Marquette University in 1975. Dr. Radmer is Board qualified in OMS, and is a fellow at the American Association OMS and the International Association OMS.

Attorney Frank D. Remington
Madison, WI

Attorney Frank D. Remington is an assistant attorney general with the Wisconsin Department of Justice, where he has worked since 1987. He began his law career as a clerk to Wisconsin Supreme Court Justice Donald W. Steinmetz, who served on the Court from 1980 to 1999. Remington recently completed two terms on a district professional responsibility committee (part of the lawyer regulation system).

BOARD OF ADMINISTRATIVE OVERSIGHT

Attorney W. H. Levit Jr., CHAIRPERSON Milwaukee, WI

Attorney W.H. Levit Jr. is a partner, chair of the International Practice Group and Loss Prevention Counsel for Godfrey & Kahn, where he has worked since 1983. Previously he had been general counsel of a Fortune 250 company and a partner in a Wall Street law firm. He is active in international arbitration, and served as a substitute arbitrator on the Iran-U.S. Claims Tribunal at The Hague from 1984 to 1988. He is a Trustee of the State of Wisconsin Investment Board. He regularly serves as an arbitrator and mediator. Early in his career he was a criminal defense attorney for the Legal Aid Society in New York City. Attorney Levit has served as chair of a BAPR district committee, is former chair of the State Bar's Committee on Resolution of Fee Disputes and is chair of the Milwaukee Bar Association's Fee Arbitration Committee. Attorney Levit is a past president of the Seventh Circuit Bar Association and a fellow of the American Bar Foundation. He is listed under "Business Litigation" in the Best Lawyers in America.

Attorney Ann Ustad Smith, VICE CHAIRPERSON Madison, WI

Attorney Ann U. Smith is a partner with Michael Best & Friedrich, where she practices bankruptcy, commercial litigation, and constitutional litigation. She is a member of the Ethics Committee, which offers analysis and advice on ethics issues to the firm's attorneys. In 1989, Smith served as staff to the Governor's Blue Ribbon Commission on Ethics and Lobbying Laws. A past member of a BAPR district committee, Smith also represented BAPR on open records issues in 1999.

Attorney Dennis R. Cimpl Milwaukee, WI

Attorney Dennis R. Cimpl has been a judicial court commissioner for Milwaukee County since 1995. Prior to this, he spent 20 years in private practice. Cimpl served on the State Bar's Board of Governors for four years and served on the BAPR Study Committee. He also served on a BAPR district committee and was a member of the Milwaukee Bar Association's Fee Arbitration Committee for 16 years. After presiding over a Children's Court calendar for three years, Cimpl remains active in child welfare issues.

Ms. Claire A. Fowler Hubertus, WI

Claire A. Fowler owns Gemini Employee Leasing, Inc., which she founded in 1981. Fowler is very active in her community, and serves on numerous professional boards and committees including the SBA/SCORE, Service Corps of Retired Executives. Fowler also has served on the State Job Training Coordinating Council and the Women's Advisory Council of the Small Business Administration.

Ms. Krista L. Ginger Madison, WI

Krista L. Ginger is the Legislative Liaison for the Wisconsin State Public Defender's Office and has worked for the agency since 1997. She started her service with the state in 1989 as a Court Information Clerk with the Wisconsin Supreme Court and Court of Appeals.

Mr. T. James Kennedy
Kenosha, WI

T. James Kennedy owns and manages Senior Citizen Services, which provides financial consulting and management for senior citizens. From 1968 until 1997, when he opened his current business, Kennedy worked for banks in Florida, Illinois, and Wisconsin in positions ranging from financial planning officer to president. As a bank trust officer, Kennedy frequently worked with attorneys. Kennedy has served on numerous boards and committees, including the Board of Directors of the National Endowment for the Arts.

Attorney James W. Mohr Jr.
Hartford, WI

Attorney James W. Mohr Jr. is founder, managing partner, and president of Mohr & Anderson in Hartford. He practices in business law, school law, real estate, and corporate and commercial transactions. Prior to starting this firm, Mohr was counsel for Heritage Mutual Insurance Company in Sheboygan. He also was an associate and partner in Whyte & Hirschboeck for eight years. Mohr is currently president of the Washington County Bar Association. He is also founder and director of a community theater.

Mr. Michael J. O'Neill
Mayville, WI

Michael J. O'Neill is a mechanical engineer and is retired from John Deere in Horicon. He specializes in product safety design and holds 10 patents. O'Neill began his career in 1958 with the U.S. Army Ordnance Corps and then worked in General Motors' Cadillac Army Tank Division. He is a past member of the Mayville Police and Fire Commission and the Mayville School Board.

Attorney Scott Roberts
Stevens Point

Attorney Scott Roberts is a Wisconsin native who served as Assistant District Attorney in Rusk County from 1979-1980 and in Rock County from 1980-1981. He served as a State Public Defender in Rock County from 1982-1985, and in Milwaukee County from 1986-1991. He worked as an Assistant District Attorney in Portage County from 1991-2000, and now does criminal defense in solo practice in Stevens Point. He has tried approximately 259 jury trials, and recently prosecuted a shaken baby case that occurred more than 20 years ago. He was a main presenter at the Third National Conference on Shaken Baby Syndrome in 2000.

Attorney Terry Rose
Kenosha, WI

Attorney Rose received his bachelor's degree from Northwestern University and received his law degree from the University of Wisconsin Law School in 1967. Attorney Rose was a former law clerk with the U.S. Court of Appeals, 7th Circuit. He has been a Kenosha County Board Supervisor since 1986 and became Vice-Chairperson of that County Board in 2004. Attorney Rose is the former President of the Kenosha County Bar Association, former President of the Kenosha Symphony Association, former President United Way of Kenosha, former Vice-Chair Kenosha County Airport Commission and former vice-president Kenosha Public Museum.

Attorney Thomas Sleik
LaCrosse, WI

Attorney Sleik is a partner in the LaCrosse firm of Hale, Skemp, Hanson, Skemp & Sleik. His practice includes personal injury, family law, employment law and business law. He is a past president of the State Bar of Wisconsin, past member and chairman of the Wisconsin Judicial Commission, and he formerly served on his BAPR District Committee. He is currently a member and vice chairman of the LaCrosse Public Library Board; a member of the Board of Trustees of Oktoberfest USA; and a member of the Board of Directors of Franciscan Skemp Healthcare in LaCrosse.

Attorney Deborah M. Smith
Madison, WI

Attorney Deborah M. Smith is the Director of the Assigned Counsel Division for the State Public Defender's Office. She has held management positions within the office for ten years, and has worked for the public defender since her graduation from law school in 1980. Smith is a member of the State Bar Board of Governors representing District 9.

SPECIAL INVESTIGATIVE PANEL

Attorney Gregory S. Bonney	LaCrosse
Attorney Eileen Brownlee	Fennimore
Attorney Elisa Castellon	Shorewood
Attorney Michael P. Crooks	Madison
Attorney Julie Genovese	Madison
Attorney William Pharis Horton	Madison
Attorney Colleen Kennedy	Wausau
Attorney Suzanne Kitto	Beloit
Attorney William Kussel, Jr.	Shawano
Attorney Myron E. LaRowe	Reedsburg
Attorney Maria S. Lazar	Milwaukee
Attorney Francis H. LoCoco	Milwaukee
Attorney Richard G. Niess	Madison
Attorney Scott K. Petersen	Madison
Attorney Mark A. Peterson	Milwaukee
Attorney William Retert	Fond du Lac
Attorney Bruce J. Rosen	Madison
Attorney John D. Varda	Madison

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Dean Helstad	Ettrick
Attorney James G. Poulos	West Bend
Attorney Jane C. Schlicht	Milwaukee
Attorney Darlo Wentz	Richland Center

SUPREME COURT REFEREES

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Rose Marie Baron	Milwaukee
Kathleen Brady	Wauwatosa
John R. Decker	Milwaukee
William Eich	Madison
James R. Erickson	Balsam Lake
Richard M. Esenberg	Milwaukee
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Curry First	Milwaukee
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John A. Fiorenza	Mequon
David R. Friedman	Madison
Eugene Gasiorkiewicz	Racine
Amy Gentz	Madison
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Russell L. Hanson	Westby
Charles J. Herro	Oconomowoc
William A. Jennaro	Milwaukee
Robert T. McGraw	Waukesha
Richard Ninneman	Milwaukee
Kim Peterson	Oconomowoc
Gene B. Radcliffe	Black River Falls
Catherine Rottier	Madison
John N. Schweitzer	Madison
Judith Sperling Newton	Madison
Konrad Tuchscherer	Wausau
Timothy L. Vocke	Rhineland
Cheryl Rosen Weston	Madison
James T. Winiarski	Milwaukee

APPENDIX 3

NEW MATTERS AND DISPOSITIONS, FISCAL YEAR 1996 - 2004

	FY96	FY97	FY98	FY99	FY00	FY01	FY02	FY03	FY04
Number of Attorneys	18,938	19,301	19,581	19,984	20,167	20,551	20,772	21,112	21,518
Number Pending at Beginning of Fiscal Year	444	421	448	500	621	874	1,127	1,313	1,037
*Adjustments					(14)		(109)	(80)	(93)
New Matters	1,316	1,506	1,396	1,423	1,526	**1,951	**2,423	2,261	2,225
Dispositions	1,339	1,479	1,344	1,302	1,287	1,698	2,346	2,617	2,617
Pending at Close of Fiscal Year	421	448	500	621	874	1,127	1,313	1,037	738

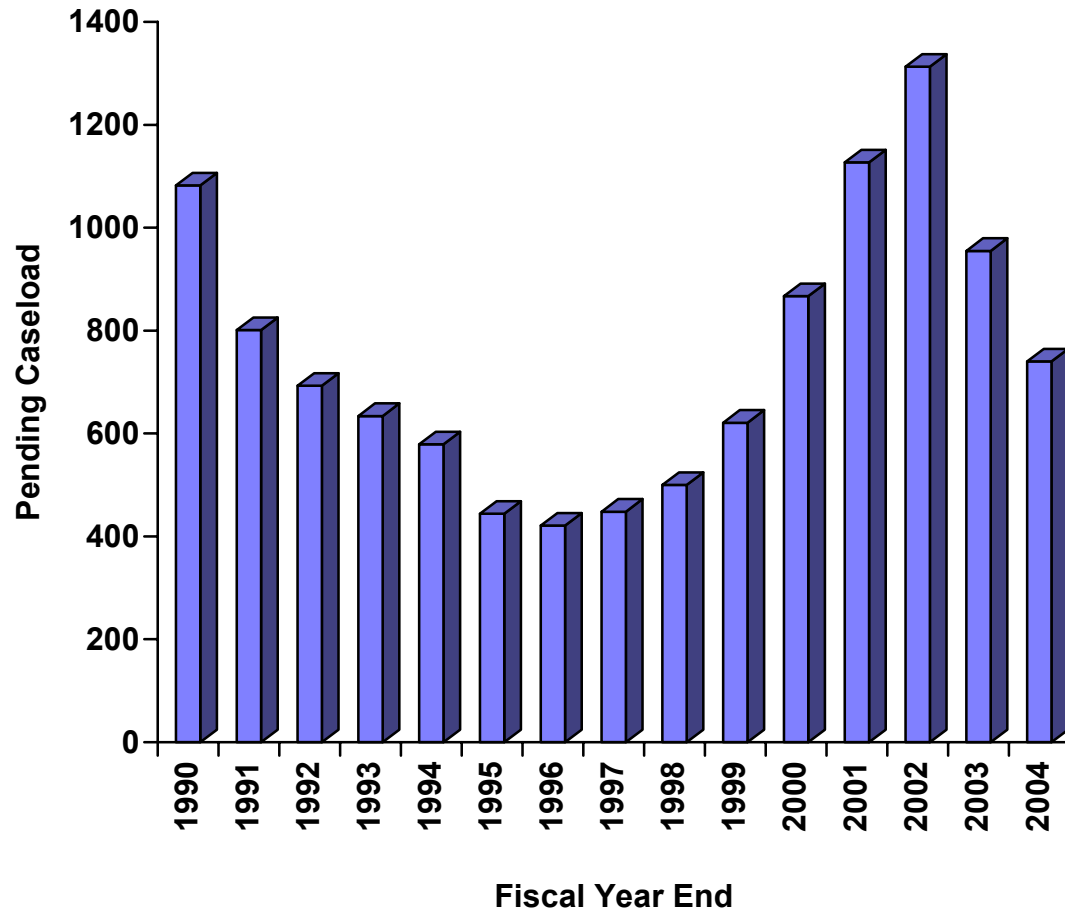
*Adjustments include appealed matters that are reopened and other administrative changes made during the fiscal year.

**The increase in the number of new matters was due to the telephonic intake program established January 1, 2001.

APPENDIX 4

PENDING CASELOAD

Fiscal Years 1990 - 2004



APPENDIX 5

EFFICIENCY AND PRODUCTIVITY

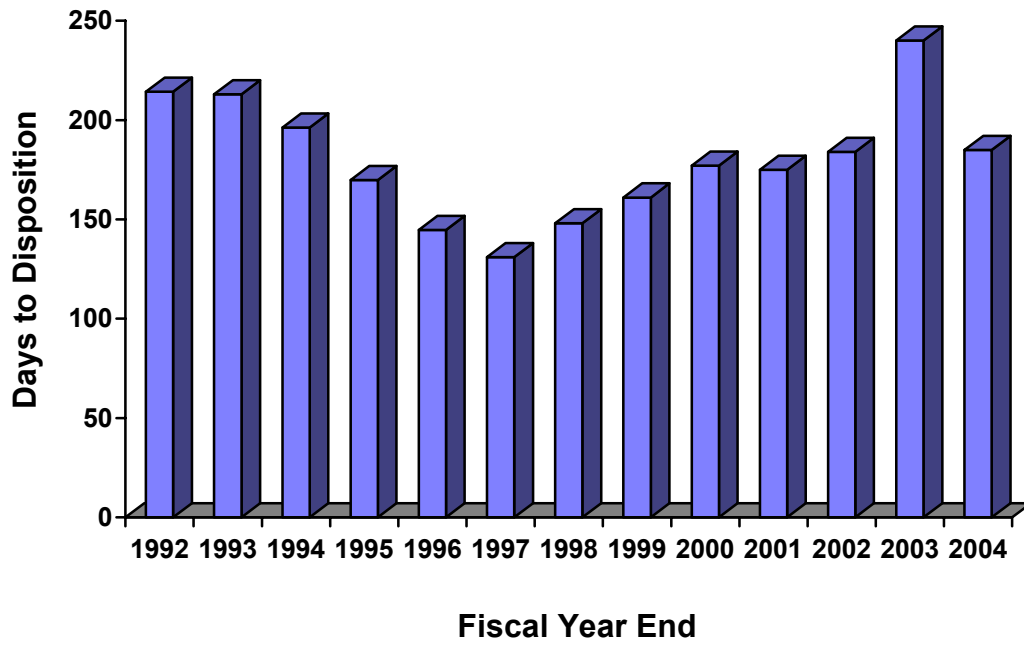
	FISCAL YEAR 2001	FISCAL YEAR 2002	FISCAL YEAR 2003	FISCAL YEAR 2004
*AVERAGE TIME FOR DISPOSITION	175 DAYS	184 DAYS	240 DAYS	185 DAYS
MATTERS OVER ONE YEAR OLD	306	461	293	252
PERCENTAGE OF MATTERS OVER ONE YEAR OLD	27%	35%	31%	34%
PERCENTAGE OF MATTERS CLOSED WITHIN 90 DAYS	55%	58%	50%	64%
PERCENTAGE OF MATTERS CLOSED WITHIN 180 DAYS	70%	74%	73%	76%

*Average time for disposition is calculated by averaging length of time it took to process a case and calculates the time for each case when matters are completed. Because many older matters will be completed during the next fiscal year, the average time for disposition may remain high for the coming year but should be reduced thereafter.

APPENDIX 6

AVERAGE MATTER PROCESSING TIME

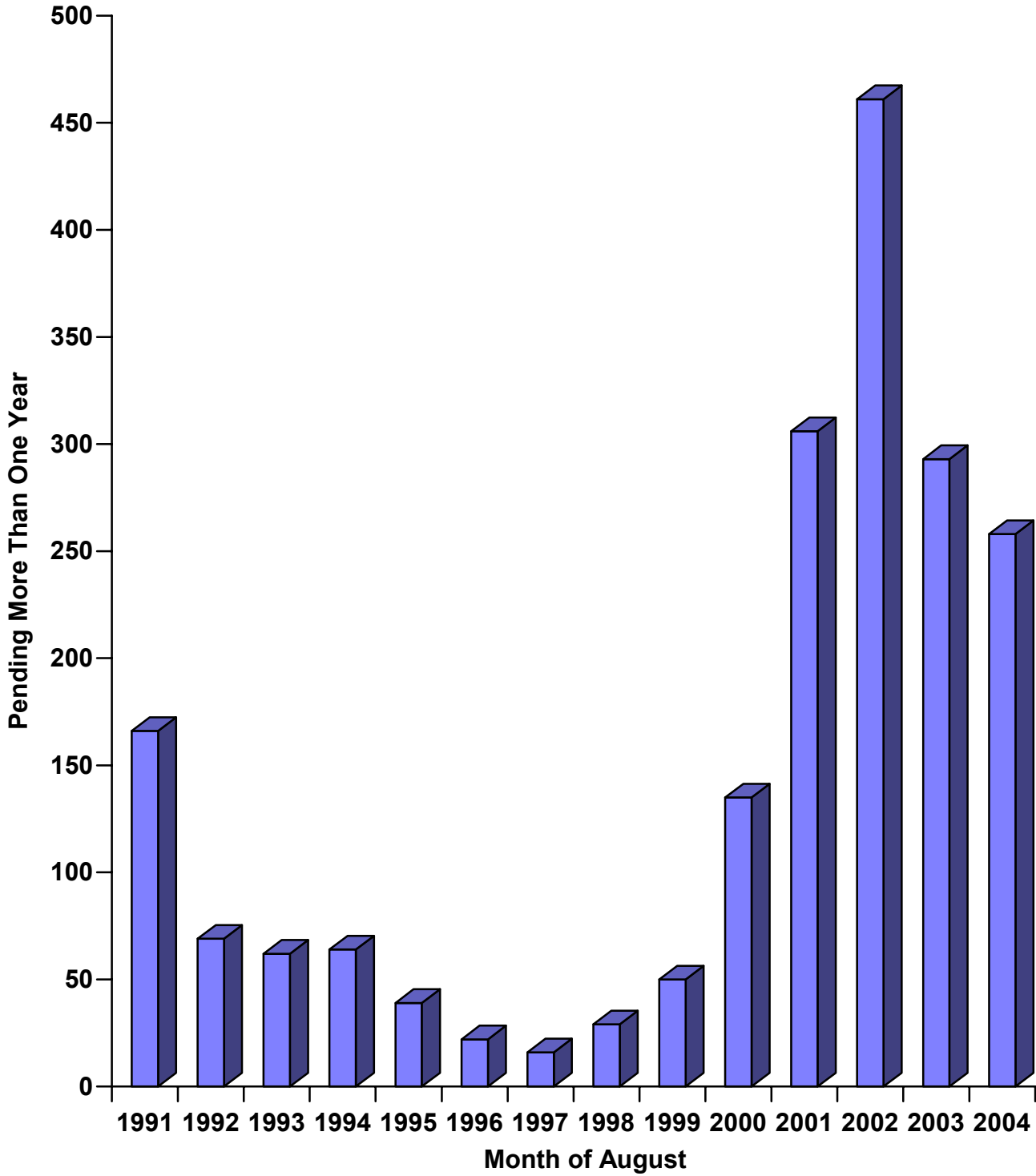
Fiscal Years 1992 - 2004



APPENDIX 7

GRIEVANCES PENDING MORE THAN ONE YEAR

Fiscal Years 1991 - 2004



APPENDIX 8A

SURVEY OF GRIEVANCES RECEIVED DURING

FISCAL YEAR 2003-2004

Categorized by Allegation

ALLEGATIONS	TOTAL	PERCENTAGE OF TOTAL ALLEGATIONS
Conflict of Interest	117	5.3%
Criminal Conduct	16	0.7%
Failure to Return Property	95	4.3%
Frivolous Action	7	0.3%
IFOR	204	9.2%
Improper Advertising	14	0.6%
Improper Advocacy	157	7.1%
Improper Communications	42	1.9%
Improper Termination	34	1.5%
Incompetence	124	5.6%
Lack of Communication	251	11.4%
Lack of Diligence	492	22.3%
Medical Incapacity	8	0.4%
Misrepresentation/Dishonesty	207	9.4%
Reciprocal Discipline	3	0.1%
Revealing Confidences	21	1.0%
Scope of Representation	34	1.5%
Statutory Violation	4	0.2%
Supervise Subordinates	6	0.3%
Trust Account Violations	84	3.8%
Unauthorized Practice	16	0.7%
Unreasonable Fees	136	6.2%
Violation of Decision	12	0.6%
Violation of Oath	48	2.2%
Not Available	33	0.3%
Other	45	2.1%

APPENDIX 8B

SURVEY OF GRIEVANCES RECEIVED DURING

FISCAL YEAR 2003-2004

Categorized by Area of Practice

AREA OF PRACTICE	TOTAL	PERCENTAGE OF TOTAL AREA OF PRACTICE
Administrative & Government Law	48	2.2%
Bankruptcy-Receivership	96	4.3%
Collections, Garnishments	62	2.8%
Contracts, Commercial, Consumer Law	24	1.1%
Corporate-Banking	28	1.3%
Criminal Law	730	33.0%
Estate-Probate, Guardianship & Wills	147	6.6%
Family Law & Juvenile	480	21.7%
Immigration & Naturalization	11	0.5%
Insurance	16	0.7%
Labor, Unemployment Compensation	20	0.9%
Landlord-Tenant	17	0.8%
Litigation	176	7.9%
Patent-Trademark	5	0.2%
Real Property Law & Foreclosure	94	4.2%
Taxation	6	0.3%
Torts, Including Personal Injury, Auto Accidents and Civil Rights	140	6.3%
Workers Compensation, Soc. Security	49	2.2%
Not Available	30	1.4%
Other	36	1.6%

APPENDIX 8C

SURVEY OF GRIEVANCES RECEIVED DURING

FISCAL YEAR 2003-2004

Categorized by Source of Grievance

SOURCE OF GRIEVANCE	TOTAL	PERCENTAGE OF TOTAL SOURCE OF GRIEVANCE
Client	1282	57.9%
Adverse Party	289	13.0%
Other Person	436	19.7%
Attorney	98	4.4%
Staff	86	4.0%
Judge	24	1.0%

APPENDIX 9

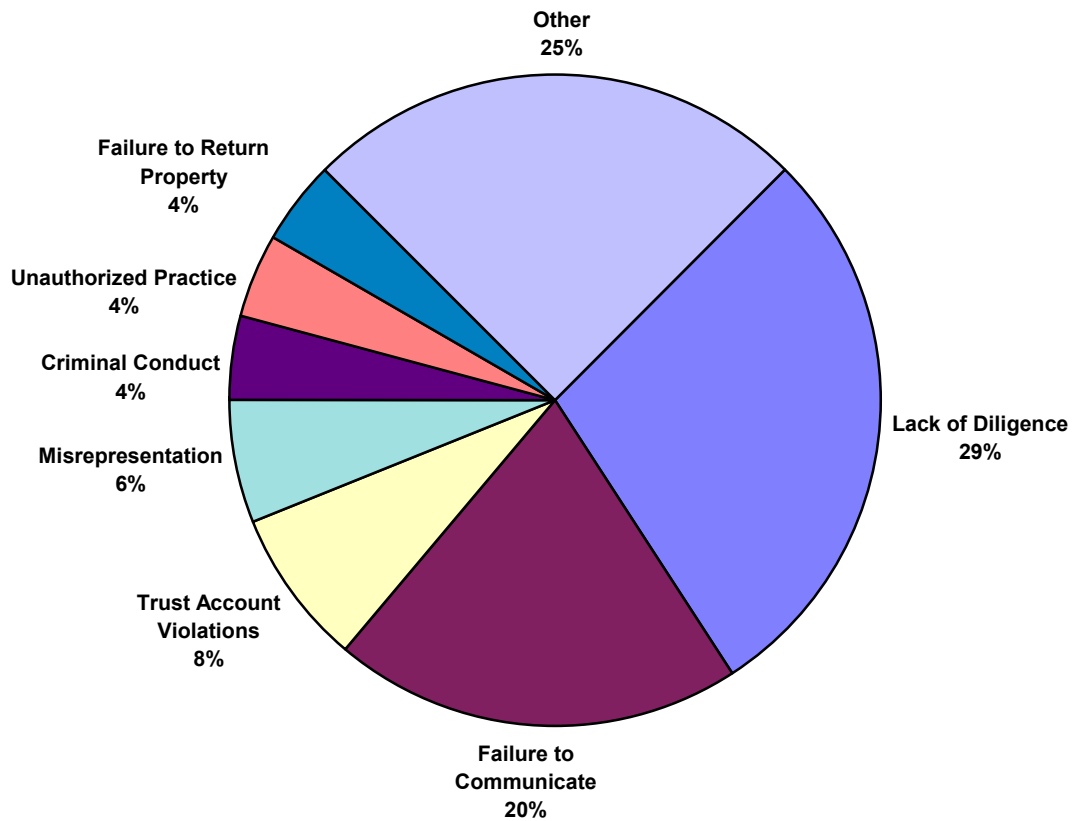
PUBLICLY DISCIPLINED LAWYERS

AS A PERCENTAGE OF TOTAL LAWYER POPULATION

YEAR	NUMBER OF LAWYERS PUBLICLY DISCIPLINED	STATE BAR MEMBERSHIP	PERCENTAGE OF LAWYERS PUBLICLY DISCIPLINED
2003-04	66	21,518	0.3
2002-03	46	21,112	0.2
2001-02	20	20,772	0.1
2000-01	37	20,551	0.2
1999-00	24	20,167	0.1
1998-99	34	19,984	0.2
1997-98	37	19,581	0.2
1996-97	28	19,301	0.1
1995-96	33	18,938	0.2
1994-95	47	18,558	0.3
1993-94	55	17,974	0.3
1992-93	69	17,648	0.4
1991-92	50	17,407	0.3
1990-91	45	16,334	0.3
1989-90	33	15,876	0.2
1988-89	38	15,451	0.2
1987-88	39	14,942	0.3
1986-87	32	14,533	0.2
1985-86	45	14,312	0.3
1984-85	38	14,096	0.3
1983-84	45	13,536	0.3
1982-83	36	13,300	0.3
1981-82	28	12,700	0.2
1980-81	20	12,300	0.2
1979-80	16	11,900	0.1
1978-79	11	11,600	0.1

APPENDIX 10

ALLEGATIONS FOR WHICH MISCONDUCT WAS FOUND IN PUBLIC DISCIPLINE DECISIONS Fiscal Year 2003-2004



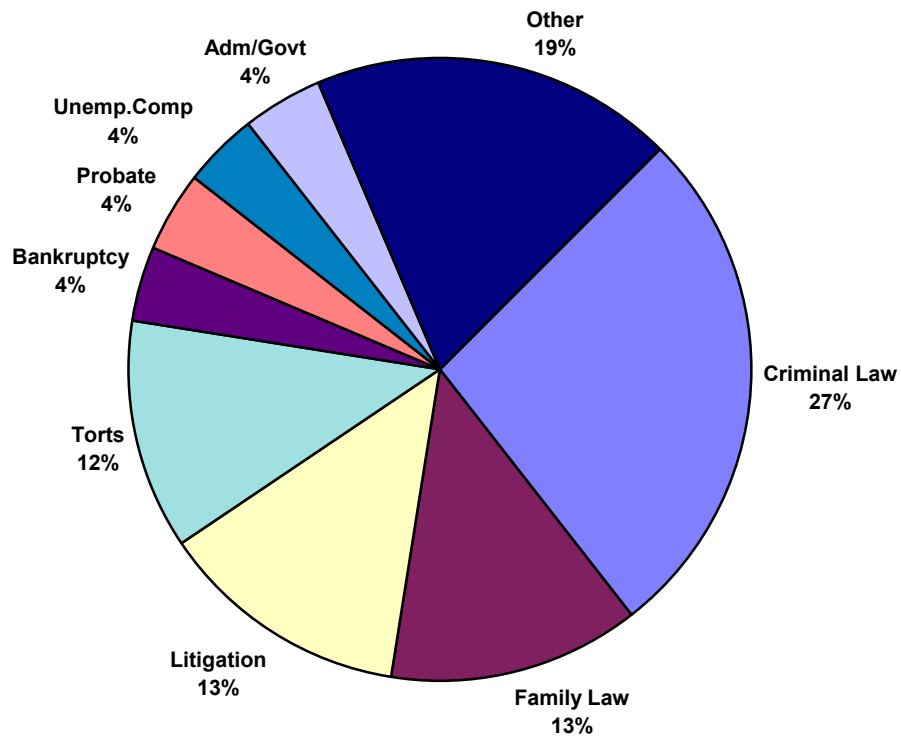
OTHER

Incompetence
Improper Termination
Unreasonable Fees
Scope of Representation
Reciprocal Discipline
Violation of Oath
Other

Violation of Decision
Medical Incapacity
Improper Advocacy
Revealing Confidences
Improper Communication
Statutory Violation
Frivolous Action

APPENDIX 11

AREAS OF PRACTICE IN WHICH MISCONDUCT WAS FOUND IN PUBLIC DISCIPLINE DECISIONS Fiscal Year 2003-2004



OTHER:

Immigration
Contracts/Consumer
Insurance
Real Property
Other

Landlord
Corporate/Banking
Social Security
Taxation

APPENDIX 12
OFFICE OF LAWYER REGULATION
2003-2004

OUTREACH EFFORTS

DATE	PRESENTER	EVENT
July 3, 2003	Sellen	Press orientation: Wisconsin Public Radio
July 24, 2003	Sellen	District Committee Training at Richland Center
August 25, 2003	Sellen	Ethics 2000 Commission Meeting
September 23, 2003	Sellen	Ethics 2000 Commission Meeting
September 29, 2003	Weigel	Presentation at Verona High School
October 2, 2003	Sellen	Presentation at UW Law School Prosecution Seminar
October 8, 2003	Sellen	Interview for Wisconsin Law Journal
October 8, 2003	Sellen	Presentation at Learning in Retirement Seminar
October 9, 2003	Sellen	State Public Defender Seminar Presentation
October 10, 2003	Sellen/ Smith	Trust Account Seminar
October 16, 2003	Weigel	Department of Workforce Development Bureau of Legal Affairs Seminar
October 17, 2003	Weigel	Small/Solo Practice Section Seminar
October 22, 2003	Sellen	Presentation at Marquette University Criminal Justice Class
October 23-24, 2003	Sellen	Legal Ethics 2003
October 28, 2003	Sellen	Presentation at UW Law School Professionalism Course
November 1, 2003	Sellen	Dane County Bar Association CLE
November 4, 2003	Sellen/ Weigel	Waukesha County Bar Association CLE
November 5, 2003	Sellen	Presentation to Edgewood College Criminal Justice Class
November 7, 2003	Staff/	Ethics School

	Others	
November 11, 2003	Weigel	Dane County Bar Association CLE
November 13, 2003	Sellen	District Committee Training in Madison
November 14, 2003	Sellen	LaCrosse County Bar Association CLE
November 21, 2003	Sellen	Federal Defender (Western District) CLE
December 5, 2003	Weigel	Department of Justice & Wisconsin District Attorneys Association CLE
December 6, 2003	Sellen	Wisconsin Association of Trial Lawyers CLE
December 9, 2003	Sellen	Outagamie County Bar Association CLE
December 16, 2003	Pierce	Wisconsin Association of Trial Lawyers Winter Seminar
February 10, 2004	Sellen	CLE program at District 15 Committee
February 20, 2004	Sellen	CLE program at District 16 Committee
February 20, 2004	Sellen	New District Committee Member Training (Wausau)
February 24, 2004	O'Connell	Presentation to Madison Area Paralegal Association
March 3, 2004	Weigel	Presentation to Ozaukee County Bar Association
March 11, 18, 2004	Sellen	State Public Defender Seminar
March 24, 2004	Weigel	Presentation at UW Law School
March 25, 2004	Sellen	New District Committee Member Training – Green Bay
April 15, 2004	Sellen	New District Committee Member Training – Eau Claire
April 20, 2004	Smith	Milwaukee Association of Legal Administrators
April 23, 2004	Sellen Smith	Trust Account Seminar In Madison
April 26, 2004	Sellen	District 11 Training - Hayward
April 30, 2004	Sellen	Presentation to Elm Grove Kiwanis
May 5, 2004	Sellen Staff	District Committee Chairpersons Meeting in Madison and New

		Member Training
May 6, 2004	Sellen	Press Orientation for Dee Hall, Wisconsin State Journal
May 7, 2004	Sellen	Referee Training and Forum in Madison
May 14, 2004	Sellen	Presentation to Fox Valley Paralegal Association
May 18, 2004	Sellen	District 9 Committee Training in Madison
May 22, 2004	Sellen	Presentation to American Academy of Matrimonial Lawyers
June 9, 2004	Smith	Madison Association of Legal Administrators
June 17, 2004	Weigel	Presentation to Dept. of Justice and District Attorneys Association